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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,706

Applicant(s)

SHOEMAKER ET AL.

Examiner

David Lazaro

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 23-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 23-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the amendment filed 09/13/07.
2. Claims 1, 2, 4, 6, 7, 11, 12, 13, 23-33 were amended.
3. Claims 8-10 and 16-22 are canceled.
4. Claims 34-37 are newly added.
5. Claims 1-15 and 23-37 are pending in this office action.

Response to Amendment

6. The objection to claim 29 is withdrawn based on applicant's amendment.
7. The rejections of claims 7, 23 and 29 under 35 USC 112, second paragraph, are withdrawn based on applicant's amendment.
8. The rejections of claims 23-33 under 35 USC 101 are withdrawn based on applicant's amendment.
9. Applicant's arguments filed 09/13/2007 have been fully considered but they are not persuasive. See Response to Arguments.
10. Applicant's arguments with respect to limitations regarding the use of different channels have been considered but are moot in view of the new ground(s) of rejection.
11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1, 2, 6, 7, 23, 24, 28, 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0109718 by Mansour et al. (Mansour) in view of U.S. Patent 6,078,961 by Mourad et al. (Mourad).

14. With respect to claim 1, Mansour teaches a method for enabling a custom remote computing media experience as between a host device to a remote device, comprising the following steps:

instantiating a remote session with the host device according to a remote session protocol (Page 3 [0022], and page 10 [0113]-[0116]: terminal session, such as remote desktop session, established. Note any suitable protocol can be used - Page 3 [0050], page 7 [0082])

automatically transmitting at least one media capabilities token based upon the media capabilities of the remote device to the host device (Page 13, [0150]: upon connection, client device sends its device capabilities to the UI server (host device) in any format. Device capabilities, which can be any number of parameters, specifications, functions, or limitations, include media capabilities - Page 10 [0097]-[0112]);

in response to said transmitting, receiving at the remote device a custom remote media experience user interface tailored to the remote device (Page 6 [0071], page 9 [0093], Page 14 [0160]: client device receives a custom user interface based on the received capabilities of the device); and

receiving at the remote device a media component from the host device (Page 5 [0063] source data may include media clip, various file formats, and other common data).

Mansour does not explicitly disclose the tailored user interface is received via a user interface channel and that the media component is received via a media channel. Mourad teaches that a separate channel can be used for transferring media data while other data uses another channel (Col. 3 lines 11-24). The media channel provides a path for media that requires high amounts of bandwidth.

Thus it would have been obvious to one of ordinary skill in the art to apply the technique of using a separate channel for media data, to improve the system of Mansour for the predictable result of providing a high bandwidth path for media data and a normal bandwidth path for other data.

15. With respect to claim 2, Mansour further teaches automatically generating said at least one media capabilities token based upon the media capabilities of the remote device in response to a connection between the host device and the remote device (Page 13, [0150]: upon connection, client device automatically sends its device capabilities to the UI server (host device)).

16. With respect to claim 6, Mansour further teaches wherein said instantiating a remote session step includes establishing a remote session between a shell of the host device having remote control capabilities and the remote device (Page 8 [0086]: UI server application acts as a shell).

17. With respect to claim 7, Mansour further teaches generating said at least one media capabilities token by a third party tool; and incorporating said at least one media capabilities token into software of the remote device (Page 10 [0118]: client application responsible for generating the media capabilities can be developed for specific UI server or ported to many platforms by a variety of manufactures).

18. With respect to claim 23, Mansour teaches a computer readable storage medium comprising computer executable modules having computer executable instructions for enabling a custom remote computing media experience as between a host device to a remote device, said computer instructions comprising:

instructions for instantiating a remote session with the host device according to a remote session protocol (Page 3 [0022], and page 10 [0113]-[0116]: terminal session, such as remote desktop session, established. Note any suitable protocol can be used - Page 3 [0050], page 7 [0082])

instructions for automatically transmitting at least one media capabilities token based upon the media capabilities of the remote device to the host device (Page 13, [0150]: upon connection, client device sends its device capabilities to the UI server (host device) in any format. Device capabilities, which can be any number of parameters,

specifications, functions, or limitations, include media capabilities - Page 10 [0097]-[0112]);

instructions for receiving at the remote device a custom remote media experience user interface tailored to the remote device in response to said transmitting (Page 6 [0071], page 9 [0093], Page 14 [0160]: client device receives a custom user interface based on the received capabilities of the device);

and instructions for receiving at the remote device a media component from the host device (Page 5 [0063] source data may include media clip, various file formats, and other common data).

Mansour does not explicitly disclose the tailored user interface is received via a user interface channel and that the media component is received via a media channel. Mourad teaches that a separate channel can be used for transferring media data while other data uses another channel (Col. 3 lines 11-24). The media channel provides a path for media that requires high amounts of bandwidth.

Thus it would have been obvious to one of ordinary skill in the art to apply the technique of using a separate channel for media data, to improve the system of Mansour for the predictable result of providing a high bandwidth path for media data and a normal bandwidth path for other data.

19. With respect to claim 24, Mansour further teaches instructions for automatically generating said at least one media capabilities token based upon the media capabilities of the remote device in response to said connecting (In Mansour: Page 13, [0150]: upon

Art Unit: 2155

connection, client device automatically sends its device capabilities to the UI server (host device)).

20. With respect to claim 28, Mansour further teaches wherein said means for instantiating a remote session includes means for establishing a remote session between a shell of the host device having remote control capabilities and the remote device (In Mansour: Page 8 [0086]: UI server application acts as a shell).

21. With respect to claim 34, Mansour teaches a system for enabling a custom remote computing media experience, comprising:

- a host device (Page 4 [0054]-[0055]: UI;

- a remote device connected to said host device, wherein said remote device declares its media capabilities to said host device (Page 13, [0150]: upon connection, client device sends its device capabilities to the UI server (host device) in any format. Device capabilities, which can be any number of parameters, specifications, functions, or limitations, include media capabilities - Page 10 [0097]-[0112]);

- a channel through which said host device transmits a user interface to said remote device tailored to the media capabilities of said remote device (Page 6 [0071], page 9 [0093], Page 14 [0160]: client device receives a custom user interface based on the received capabilities of the device); and,

- a channel through which said host device transmits bandwidth intensive media to said remote device (Page 5 [0063] source data may include media clip, various file formats, and other common data).

Mansour does not explicitly disclose the tailored user interface is received via a user interface channel and that the media component is received via a media channel. Mourad teaches that a separate channel can be used for transferring media data while other data uses another channel (Col. 3 lines 11-24). The media channel provides a path for media that requires high amounts of bandwidth.

Thus it would have been obvious to one of ordinary skill in the art to apply the technique of using a separate channel for media data, to improve the system of Mansour for the predictable result of providing a high bandwidth path for media data and a normal bandwidth path for other data.

22. With respect to claim 35, Mansour further teaches wherein media transmitted by said media channel is synchronized with said user interface transmitted by said user interface channel (Page 5 [0064] and Page 8 [0089] - interface and media items are synchronized in state such that a "virtual application" is created).

23. With respect to claim 36, Mansour further teaches wherein media transmitted by said media channel is sent out of band with respect to said user interface transmitted by said user interface channel (In Mourad: Col. 3 lines 11-24).

24. With respect to claim 37, Mansour further teaches, wherein said user interface channel and said media channel are separate (In Mourad: Col. 3 lines 11-24).

Art Unit: 2155

25. Claims 3, 4, 11, 12, 14, 15, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0109718 by Mansour et al. (Mansour) in view of Mourad and in further view of "Remote Desktop Protocol (RDP) Features and Performance" Microsoft white paper from June 2000 (hereinafter RDP White paper).

26. With respect to claim 3, Mansour in view of Mourad teaches all the limitations of claim 1, and further teaches the remote session can be a terminal server session (In Mansour: Page 10 [0115]). Mansour also teaches that any suitable protocol can be used for communication between the client device and UI server (In Mansour Page 3 [0050], page 7 [0082]).

Mansour in view of Mourad does not explicitly disclose the remote session protocol is remote desktop protocol. The RDP white paper teaches that remote desktop protocol allows for remote display and input capabilities over a network for applications running on a server and is related to terminal server services (Page 4, first paragraph of overview).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Mansour in view of Mourad and modify it as indicated by RDP White paper such that it further comprises said remote session protocol is remote desktop protocol. One would be motivated to have this, as Mansour explicitly suggests using any suitable protocol (In Mansour: Page 3 [0050], page 7 [0082]). The remote application abilities of remote desktop protocol would

particularly suit the remote desktop functionality disclosed in Mansour (In Mansour: page 10 [0113]-[0116]).

27. With respect to claim 4, Mansour in view of Mourad teaches all the limitations of claim 1, and further teaches disconnecting said remote device from said remote session, and automatically synchronizing the state of the client device with the UI server upon reconnection to said remote session (Page 14 [0153]-[0154] and [0157]-[0158]).

Mansour in view of Mourad does not explicitly disclose automatically regenerating said at least one media capabilities token based upon the media capabilities of the remote device at the time of reconnection. The RDP White paper teaches that a device may disconnect and reconnect from a session (Page 7 - Roaming Disconnect). Upon reconnecting, a media capability at the time of the reconnection is automatically determined and utilized in the reconnected session (Page 7 - Roaming Disconnect - different screen resolution upon reconnect).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Mansour in view of Mourad and modify it as indicated by the RDP White paper such that it further comprises automatically regenerating said at least one media capabilities token based upon the media capabilities of the remote device upon reconnection to said remote session. One would be motivated to have this, as there is need for ensuring that the client device and UI server are updated to reflect any changes that occurred during disconnection (In Mansour: Page 14 [0153]).

28. With respect to claim 11, Mansour teaches a method for enabling a custom remote computing media experience as between a host device to a remote device, comprising:

initializing a remote session of the host device (Page 3 [0022], and page 10 [0113]-[0116] : terminal session, such as remote desktop session, established. Note any suitable protocol can be used - Page 3 [0050], page 7 [0082]);

opening a virtual connection (Page 5 [0064]: virtual application client);

monitoring the virtual connection for the remote device to establish a connection (Page 13, [0150]: UI server waits for remote device to connect);

upon the remote device connecting via the virtual connection, receiving at least one media capabilities token for the remote device (Page 13, [0150]: upon connection, client device sends its device capabilities to the UI server (host device) in any format. Device capabilities, which can be any number of parameters, specifications, functions, or limitations, include media capabilities - Page 10 [0097]-[0112]);

transmitting a custom media experience user interface to the remote device based upon said at least one media capabilities token (Page 6 [0071], page 9 [0093], Page 14 [0160]: client device receives a custom user interface based on the received capabilities of the device); and

transmitting a media component to the remote device (Page 5 [0063] source data may include media clip, various file formats, and other common data).

Mansour does not explicitly disclose initializing a remote desktop protocol session and the use of virtual channels for the connection. The RDP White paper

teaches that remote desktop protocol allows for remote display and input capabilities over a network for applications running on a server in relation to remote sessions (Page 4, first paragraph of overview). Remote desktop protocol employs the use of virtual channel architecture that allows for separate virtual channels for carrying device communication and presentation data (Page 6 - Basic Architecture, and Page 7 - Virtual Channels).

Mansour does not explicitly disclose the tailored user interface is received via a user interface channel and that the media component is received via a media channel. Mourad teaches that a separate channel can be used for transferring media data while other data uses another channel (Col. 3 lines 11-24). The media channel provides a path for media that requires high amounts of bandwidth. Thus it would have been obvious to one of ordinary skill in the art to apply the technique of using a separate channel for media data, to improve the system of Mansour for the predictable result of providing a high bandwidth path for media data and a normal bandwidth path for other data.

Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Mansour and modify it as indicated by RDP White paper such that it further comprises initializing a remote desktop protocol session of the host device; opening a virtual channel; monitoring the virtual channel for the remote device to establish a connection; upon the remote device connecting via the virtual channel, receiving at least one media capabilities token for the remote device. One would be motivated to have this, as Mansour explicitly suggests

using any suitable protocol and known techniques for the transmission, reception and exchange of information (In Mansour: Page 3 [0050], page 7 [0082]). The remote application abilities of remote desktop protocol would particularly suit the remote desktop functionality disclosed in Mansour (In Mansour: page 10 [0113]-[0116]).

29. With respect to claim 12, Mansour further teaches transmitting a generic media experience user interface to the remote device if no valid capabilities tokens are received within a timeout period (In Mansour: Page 14 [0160]: default view is selected when there is not client action).

30. With respect to claim 14, Mansour further teaches wherein said connection includes a connection to a shell of the host device having remote control capabilities (In Mansour: Page 8 [0086]: UI server application acts as a shell).

31. With respect to claim 15, Mansour further teaches wherein said remote desktop protocol session is a Terminal Server session (In Mansour: Page 10 [0115]).

32. With respect to claim 25, Mansour in view of Mourad teaches all the limitations of claim 23, and further teaches the remote session can be a terminal server session (In Mansour Page 10 [0115]). Mansour also teaches that any suitable protocol can be used for communication between the client device and UI server (In Mansour: Page 3 [0050], page 7 [0082]).

Mansour in view of Mourad does not explicitly disclose the remote session protocol is remote desktop protocol. The RDP White paper teaches that remote desktop protocol allows for remote display and input capabilities over a network for

applications running on a server and is related to terminal server services (Page 4, first paragraph of overview).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the computer readable storage medium disclosed by Mansour in view of Mourad and modify it as indicated by RDP White paper such that it further comprises said remote session protocol is remote desktop protocol. One would be motivated to have this, as Mansour explicitly suggests using any suitable protocol (In Mansour: Page 3 [0050], page 7 [0082]). The remote application abilities of remote desktop protocol would particularly suit the remote desktop functionality disclosed in Mansour (In Mansour: page 10 [0113]-[0116]).

33. With respect to claim 26, Mansour in view of Mourad teaches all the limitations of claim 23, and further teaches instructions for disconnecting said remote device from said remote session, and instructions for automatically synchronizing the state of the client device with the UI server upon reconnection to said remote session (In Mansour: Page 14 [0153]-[0154] and [0157]-[0158]).

Mansour does not explicitly disclose instructions for automatically regenerating said at least one media capabilities token based upon the media capabilities of the remote device at the time of reconnection. The RDP White paper teaches that a device may disconnect and reconnect from a session (Page 7 - Roaming Disconnect). Upon reconnecting, a media capability at the time of the reconnection is automatically determined and utilized in the reconnected session (Page 7 - Roaming Disconnect - different screen resolution upon reconnect).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the computer readable medium disclosed by Mansour in view of Mourad and modify it as indicated by the RDP White paper such that it further comprises instructions for automatically regenerating said at least one media capabilities token based upon the media capabilities of the remote device at the time of reconnection upon reconnection to said remote session. One would be motivated to have this, as there is need for ensuring that the client device and UI server are updated to reflect any changes that occurred during disconnection (In Mansour: Page 14 [0153]).

34. Claims 5 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0109718 by Mansour et al. (Mansour) in view of Mourad and in further view of U.S. Patent Application Publication 2002/0075301 by Basso et al. (Basso).

35. With respect to claim 5, Mansour in view of Mourad teaches all the limitations of claim 1 and further teaches said at least one media capabilities token can be in any format (In Mansour: Page 13, [0150]).

Mansour does not explicitly disclose the at least one media capabilities token is a string. Basso teaches media capabilities can be expressed in string format (Page 2-4 [0024]-[0038]: particularly note Table 1 in [0024] which denotes various example media capabilities followed by subsequent tables showing example values for the media capabilities. The fields and values are in a numerical string format).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Monsour in view of Mourad and modify it as indicated by Basso such that it further comprises said at least one media capabilities token is a string. One would be motivated to have this as Mansour explicitly suggests any format can be used for the media capabilities token (In Mansour: Page 13 [0150]).

36. With respect to claim 27, Mansour in view of Mourad teaches all the limitations of claim 23 and further teaches said at least one media capabilities token can be in any format (In Mansour: Page 13, [0150]).

Mansour in view of Mourad does not explicitly disclose the at least one media capabilities token is a string. Basso teaches media capabilities can be expressed in string format (Page 2-4 [0024]-[0038]: particularly note Table 1 in [0024] which denotes various example media capabilities followed by subsequent tables showing example values for the media capabilities. The fields and values are in a numerical string format).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the computer readable medium disclosed by Monsour in view of Mourad and modify it as indicated by Basso such that it further comprises said at least one media capabilities token is a string. One would be motivated to have this as Mansour explicitly suggests any format can be used (In Mansour: Page 13 [0150]).

Art Unit: 2155

37. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mansour in view of Mourad and RDP White paper as applied to claim 11, and further in view of U.S. Patent 6,970,920 by Poirier et al. (Poirier).

38. With respect to claim 13, Mansour in view of Mourad and RDP White paper teaches all the limitations of claim 11, but does not explicitly disclose said monitoring includes monitoring the virtual channel until a timeout period completes.

Poirier teaches monitoring a connection channel until a timeout period completes (Col. 10 lines -18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Mansour in view of Mourad and RDP White paper and modify it as indicated by Poirier such that it further comprises said monitoring includes monitoring the virtual channel until a timeout period completes. One would be motivated to have this, as it provides a more efficient use of network resources (In Poirier: Col. 10 lines 5-13).

39. Claims 29 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0109718 by Mansour et al. (Mansour) in view of "Remote Desktop Protocol (RDP) Features and Performance" Microsoft white paper from June 2000 (hereinafter RDP White paper).

40. With respect to claim 29, Mansour teaches a compute readable storage medium comprising instructions for enabling a custom remote computing media experience as between a host device to a remote device, comprising:

instructions for initializing a remote session of the host device (Page 3 [0022], and page 10 [0113]-[0116] : terminal session, such as remote desktop session, established. Note any suitable protocol can be used - Page 3 [0050], page 7 [0082]);

instructions for opening a virtual connection (Page 5 [0064]: virtual application client);

instructions for monitoring the virtual connection for the remote device to establish a connection (Page 13, [0150]: UI server waits for remote device to connect);

instructions for receiving at least one media capabilities token for the remote device upon the remote device connecting via the virtual connection (Page 13, [0150]: upon connection, client device sends its device capabilities to the UI server (host device) in any format. Device capabilities, which can be any number of parameters, specifications, functions, or limitations, include media capabilities - Page 10 [0097]-[0112]);

instructions for transmitting a custom media experience user interface to the remote device based upon said at least one media capabilities token (Page 6 [0071], page 9 [0093], Page 14 [0160]: client device receives a custom user interface based on the received capabilities of the device); and

instructions for transmitting a media component to the remote device from the host device (Page 5 [0063] source data may include media clip, various file formats, and other common data).

Mansour does not explicitly disclose initializing a remote desktop protocol session and the use of virtual channels for the connection. The RDP White paper teaches that remote desktop protocol allows for remote display and input capabilities over a network for applications running on a server in relation to remote sessions (Page 4, first paragraph of overview). Remote desktop protocol employs the use of virtual channel architecture that allows for separate virtual channels for carrying device communication and presentation data (Page 6 - Basic Architecture, and Page 7 - Virtual Channels).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the computer readable medium disclosed by Mansour and modify it as indicated by RDP White paper such that it further comprises instructions for initializing a remote desktop protocol session of the host device; opening a virtual channel; instructions for monitoring the virtual channel for the remote device to establish a connection; instructions for receiving at least one media capabilities token for the remote device upon the remote device connecting via the virtual channel. One would be motivated to have this, as Mansour explicitly suggests using any suitable protocol and known techniques for the transmission, reception and exchange of information (In Mansour: Page 3 [0050], page 7 [0082]). The remote application abilities of remote

desktop protocol would particularly suit the remote desktop functionality disclosed in Mansour (In Mansour: page 10 [0113]-[0116]).

41. With respect to claim 30, Mansour further teaches instructions for transmitting a generic media experience user interface to the remote device if no valid capabilities tokens are received within a timeout period (In Mansour: Page 14 [0160]: default view is selected when there is not client action).

42. With respect to claim 32, Mansour further teaches wherein said connection includes a connection to a shell of the host device having remote control capabilities (In Mansour: Page 8 [0086]: UI server application acts as a shell).

43. With respect to claim 33, Mansour further teaches wherein said remote desktop protocol session is a Terminal Server session (In Mansour: Page 10 [0115]).

44. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mansour in view of RDP White paper as applied to claims 23 above, and further in view of U.S. Patent 6,970,920 by Poirier et al. (Poirier).

45. With respect to claim 31, Mansour in view of RDP White paper teaches all the limitations of claim 23, but does not explicitly disclose said instructions for monitoring includes monitoring the virtual channel until a timeout period completes.

Poirier teaches monitoring a connection channel until a timeout period completes (Col. 10 lines 5-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the computer readable medium disclosed by Mansour in

view of RDP White paper and modify it as indicated by Poirier such that it further comprises said instructions for monitoring includes monitoring the virtual channel until a timeout period completes. One would be motivated to have this, as it provides a more efficient use of network resources (In Poirier: Col. 10 lines 5-13).

Response to Arguments

46. Applicant's arguments filed 09/13/2007 have been fully considered but they are not persuasive.

47. Applicant argues on page 10 of the remarks - *"Further, it is not seen where the "device capabilities" applied by the Examiner at Page 10, paragraphs [0097]-[0112] of Mansour reference disclose the "media capabilities" as claimed. While the Mansour patent sets out certain basic information for each client device, there is nothing indicated involving the media contemplated by the present invention (see Page 4, paragraph [0012] of the specification)."*

a. Examiner's response - The claims only generically state "media capabilities" and do not give any explicitly limitations further defining the intended scope of "media capabilities". Page 4, paragraph [0012] of the specification lists some example media components, but the list is "nonexhaustive" and does not give any explicit details as to what "media capabilities" necessarily must include.

b. As such, the examiner interprets the basic information of Mansour mentioned by applicant as pertaining to media capabilities. For example, paragraph [0098] indicates the device's "ability to process documents in rich text, bitmap, HTML, WAP, and/or text format". Rich text, bitmap, HTML, WAP, and/or text format are all forms of media. The media processing abilities of a device

would seem to be a reasonable interpretation of "media capabilities". Paragraph [0101] indicates the device OS. The type of OS can indicate the type media formats compatible. Paragraph [0103] indicates screen type and resolution. Screen type and resolution are specific display specifications that would be pertinent to and directly affect for example, displaying video and image medias such as those described in applicants specification on page 4. The examiner considers at least these examples to be forms of media capabilities. Applicant's arguments are not persuasive.

Conclusion

48. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

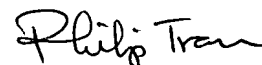
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David Lazaro
November 19, 2007



PHILIP TRAN
PRIMARY EXAMINER